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NO. 5082 P. 1

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From: Thomas W. Cole	Date: January 4, 2006	No. of Pages: (including this page) 3	RECEIVED CENTRAL FAX CENTER JAN 04 2006
Comments: In re Patent Application of: Takahiro KUME et al. Serial No. 10/798,305 Filed: March 12, 2004 For: POLISHING SHEET AND MANUFACTURING METHOD OF ELASTIC PLASTIC FOAM SHEET FILED HERewith: Supplemental Response to Restriction Requirement			

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From: Thomas W. Cole	Date: January 4, 2006	No. of Pages: (including this page) 3	Client/Matter: 742158-9
User #: 8682	Ext: 8206	Disbursement Amount: \$	

Atty Docket: 742158-9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Takahiro KUME et al.

Serial No. 10/798,305

Filed: March 12, 2004

For: **POLISHING SHEET AND
MANUFACTURING METHOD OF
ELASTIC PLASTIC FOAM SHEET**) Confirmation No.: 5795
) Group Art Unit: 3723
) Examiner: Victor S. Chang

) DATED: January 4, 2006

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Sir:

In response to the Office Action mailed December 21, 2005, Applicant further elects the Species of the invention recited in claims 1-3 and 9 of the claims of Group I (claims 1-14). However, Applicants respectfully traverse this species-type restriction requirement. In the Office Action mailed on October 28, 2005, the Examiner states that "there is no generic product claim." However, all the claims 2-14 are either directly or indirectly dependent upon elected claim 1. While it is true that there are several embodiments of the product of the invention, each of these embodiments includes the limitations of claim 1. Accordingly, Applicant submits that claim 1 is generic, and that the allowance of claim 1 would mandate the examination of the non-elected species claims 4-8 and 10-14.

Reconsideration and withdrawal of this statement by the Examiner that "No claims are generic" is accordingly requested.

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Linda Swink
Linda Swink

W696363.1

- 2 -

Application No. 10/798,305
Docket No. 742158-9

The Commissioner is hereby authorized to charge any fees connected with this filing which may be required now, or credit any overpayment to Deposit Account No. 19-2380.

Respectfully submitted,

By: Thomas W. Cole
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